

Message Text

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PAGE 01 CARACA 06417 121119Z

43

ACTION DLOS-07

INFO OCT-01 AF-10 ARA-16 EUR-25 EA-11 ISO-00 CIEP-02

NEA-14 RSC-01 CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-10

L-03 NSAE-00 NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15

TRSE-00 ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08

JUSE-00 OMB-01 OIC-04 FEA-02 AID-20 CEQ-02 COA-02

COME-00 EB-11 EPA-04 IO-14 NSF-04 SCI-06 DRC-01 /293 W

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R 120230Z JUL 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 4632

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MADRID

AMEMBASSY MANILA

AMEMBASSY TEGUCIGALPA

AMEMBASSY TANANARIVE

USUN NEW YORK 0645

UNCLAS CARACAS 6417

FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJ: LOS: DAILY REPORT, COMTE 11, JULY 11, 1974

1. SUMMARY: COMTE 11 CONTINUED CONSIDERATION OF NATURE AND CHARACTERISTICS OF TERRITORIAL SEA (ITEM 2.1), SEVERAL STATES GAVE GENERAL STATEMENTS OF THEIR POSITION ON COMTE II ISSUES. U.K. INTRODUCED DRAFT ARTICLES ON TERRITORIAL SEA AND STRAITS.
END SUMMARY

2. CHAIRMAN BEGAN MEETING BY POINTING OUT THAT THERE WERE 27
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PAGE 02 CARACA 06417 121119Z

FORMAL MEETINGS PLANNED. FORMAL MEETINGS WOULD BE HELD IN MORNING AND INFORMAL CONSULTATIONS COULD BE HELD IN AFTERNOON.

AT END OF MEETING CHAIRMAN REJECTED SEVERAL SUGGESTIONS FOR CHANGING METHOD OF WORK AND RE-STATED HIS OFFER TO ORGANIZE AND PRESIDE OVER INFORMAL MEETINGS. HE CLEARLY IMPLIED TIME WAS RIPE FOR INFORMAL MEETING OF THOSE STATES FAVORING 1958 CONVENTION ON TERRITORIAL SEA AND CONTIGUOUS ZONE FORMULA FOR ITEM 2.1 BUT NO TIME OR PLACE WAS SPECIFIED.

3. FRG. PROFESSOR JANICKE GAVE OVERVIEW OF FRG POSITION ON PRINCIPAL SUBJECTS IN COMTE II WITH EMPHASIS ON FRG NAVIGATIONAL INTERESTS. HE NOTED FRG GEOGRAPHIC AND ECONOMIC SITUATION AND CONSEQUENT NEED FOR FREE ACCESS TO OCEAN THROUGH UNIMPEDED ROUTES. FRG SUPPORTS 12-MILE TERRITORIAL SEA AND FREE PASSAGE AND OVERFLIGHT FOR STRAITS. HE STATED FRG WAS DISTANT WATER FISHING STATE AND SUPPORTED RIGHT TO ACCESS BY OTHERS THAN COASTAL STATE TO FISH WITHIN ANY ZONE. JANICKE INDICATED FRG WOULD GO QUOTE LONG WAY TO ACCOMMODATE UNQUOTE REASONABLE CLAIMS OF COASTAL STATES, ESPECIALLY DEVELOPING COASTAL STATES.

4. MADAGASCAR; REP STATED 12 MILES WAS INSUFFICIENT TO SATISFY SECURITY CONCERNS OF COASTAL STATE. (THEY CLAIM 50-MILE TERRITORIAL SEA.) HE URGED SOVEREIGNTY OVER ENTIRE NEW ZONE CALL QUOTE NATIONAL MARITIME ZONE UNQUOTE THAT WOULD EXTEND UP TO 200-MILES. HE STATED THIS WAS PRIMARILY NEEDED FOR SECURITY. LATIN IN DEBATE PERU AND URUGUAY ENDORSED THIS APPROACH. HOWEVER, CAMEROON INTERVENED TO SAY THAT WITH MODERN WEAPONRY SECURITY DID NOT COME FROM 12 OR 200 MILE ZONES BUT FROM INTERNATIONAL AGREEMENTS.

5. HONDURAS. REP. SAID BAY ISLANDS IN CARIBBEAN WERE PART OF COASTAL ARCHIPELAGO OF HONDURAS MAINLAND. HE CRITICIZED ARTICLE 7 OF 1958 TERRITORIAL SEA AND CONTIGUOUS ZONE CONVENTION WHICH DOES NOT APPLY HISTORIC BAY REGIME TO GULF OF FONSECA.

6. GDR. REP. SUPPORTED ARTICLES 3-13 OF TERRITORIAL SEA AND CONTIGUOUS ZONE. HE ENDORSED 12 MILE TERRITORIAL SEA AND SPOKE FAVORABLE OF U.K. DRAFT ARTICLES ON INNOCENT PASSAGE.

7. U.K. REP. (DUDGEON) INTRODUCED U.K. DRAFT ARTICLES ON TERRITORIAL SEA AND STRAITS WHICH HE CHARACTERIZED AS QUOTE UNCLASSIFIED UNCLASSIFIED

PAGE 03 CARACA 06417 121119Z

MIDDLE GROUND UNQUOTE BETWEEN PROPOSALS BEFORE COMTE II. REP. STATED ARTICLES ATTEMPTED TO CLARIFY DEFINITION OF INNOCENT PASSAGE AND REGULATORY POWERS OF COASTAL STATES IN TERRITORIAL SEA. STRAITS PORTION OF ARTICLES WERE SAID TO BALANCE INTERESTS OF STRAIT STATES AND INTERNATIONAL COMMUNITY. TRANSIT PASSAGE WAS DEFINED AND NON-SUSPENDABLE INNOCENT PASSAGE WOULD APPLY TO STRAITS CONNECTING HIGH SEAS AND TERRITORIAL SEA OF FOREIGN STATE.

8. SPAIN. SPANISH INTRODUCED DRAFT ARTICLES ON ITEM 2.1

WHICH INCLUDED ARTICLE EXTENDING SOVEREIGNTY OF COASTAL STATE
TO QUOTE STRAITS FORMING PART OF THE TERRITORIAL SEA,
WHETHER OR NOT THEY ARE USED FOR INTERNATIONAL NAVIGATION.
UNQUOTE

9. PHILIPPINES. REP. (SANTOS) WAS SHARPLY CRITICAL OF U.K.
ARTICLES WHICH DID NOT INCLUDE ARTICLES ON BASELINES FOR
ARCHIPELAGOES NOR PRIVISIONS FOR RECOGNITION OF HISTORIC TITLE
TO MARITIME AREAS. HE STATED PHILIPPINES COULD NOT ACCEPT
UNIMPEDED TRANSIT THROUGH OR OVERFLIGHT OF PHILIPPINE INTERNAL
WATERS.
STEVENSON

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